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1. Re Your 235, TOICA 185.

2. Upham Associates informed Dept today Libyan Court has found Cote dismissal arbitrary and ordered reinstatement with back pay from date wrongful dismissal. Additional judgements pending.

3, Firm claims not competent reinstate Cote without instructions from LARC. States acted throughout as agent for LARC; Cote's job was with LARC, order to dismiss Cote came from LARC although Cote carried on Upham's payroll. Since firm has no financial or physical assets in Libya, concerned that legal action may be taken against Upham personnel in Libya if prompt compliance with court order not forthcoming.

4. Charles Upham, president of firm, scheduled arrive Benghazi Dec. 9 discuss other operational problems. Will probably wish cancel visit if any possibility legal action against his person.

5. Embassy/USOM views requested re (A) solution least harmful US position

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Drafted by: AF:AFN:WFCourtney:JFBuckle:apg 11/26/58 Telegraphic transmission and classification approved by: AFN - John A. Bovey, Jr.

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position Libya, e.g., reinstate Cote, LARC purchase contract, etc. (B) LARC responsibility to Upham under its contract, particularly with respect court order (C) possibility Court might take action against Upham personnel enforce its order.

Dulles

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